

REMARKS

Claims 157-222 are pending. Claims 157-161 and 216 have been amended. No new matter has been presented.

Claims 157-222 are rejected under 35 USC 103(a) as being unpatentable over Vriens, U.S. Patent 5,813,753, in view of the Phosphor Handbook, Vecht, U.S. Patent 6,379,585, and Komoto, U.S. Patent 6,340,824. This rejection is respectfully traversed.

Claims 157-161 and 216 have been amended to recite "the semiconductor light-emitting element has outgoing light having an emission wavelength in a range of 390 to 420 nm, the light having visibility lower than light in a visible range more than 420 nm." None of the prior art references, either alone or in combination, teach or suggest this feature.

Attached is the declaration of Mr. Hanamoto. Mr. Hanamoto is a named inventor of this application. As stated by Mr. Hanamoto, light having a wavelength range of 390 to 420 nm is lower in visibility and therefore better in color purity than visible light of 420 nm or more. Accordingly, the light-emitting device of the present invention has a feature that the color tone hardly changes even though the semiconductor light-emitting element, such as an LED, deteriorates and decreases its brightness.

As stated by Mr. Hanamoto, the Phosphor Handbook fails to disclose or suggest that the fluorescent substances described therein effectively emit light when the fluorescent substances are illuminated with light of the wave-length 390-420nm. Further, although the Phosphor Handbook does disclose some of the fluorescent substances of the present invention, even if an extra-high-pressure mercury lamp having the longest wave length is used, the excitation wavelength would be 390 nm at the most. The Phosphor Handbook fails to disclose that desired light, such as red, green or blue, is emitted when the fluorescent substances are excited with the light having a wave-length of 390-420nm.

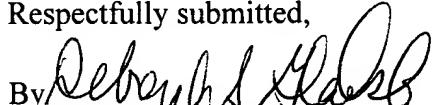
As further stated by Mr. Hanamoto, Vriens merely discloses that light having the wavelength of 390 nm or more is used in order to suppress deterioration of resin. Vriens does not disclose or suggest that the fluorescent substances effectively emit light by illuminating the fluorescent substances with light of the wave length of 390 nm or more. Vriens also fails to disclose or suggest the range of excitation wave length, which range is limited by combination of the illuminating light and the fluorescent substances. Thus, neither Vreins nor the Phosphor Handbook disclose the features of the present invention. Likewise, Vecht and Komoto do not overcome the deficiencies of Vriens and the Phosphor Handbook. Thus, the features of claims 157-161 and 216 are not taught or suggested by the cited art, either alone or in combination.

The remaining claims are allowable at least due to their respective dependencies. Accordingly, Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 204552021500.

Dated: October 6, 2005

Respectfully submitted,

By 
Deborah S. Gladstein
Registration No.: 43,636
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7753